

Uniform Foster Care Rate Policy

**Department of Health and Family Services
Division of Children and Family Services
June 2003**

Uniform Foster Care Rate Policy

The Uniform Foster Care Rate for Wisconsin's foster care program was established in accordance with s. 48.62(4), Stats., to eliminate inequities in foster care payments. The basic maintenance rates are designed to meet the maintenance needs of the child and are intended to provide for the basic costs of raising a foster child (i.e., food, shelter, basic transportation, personal and recreational needs, clothing). Foster children who require more than the usual care and supervision may receive a supplemental or exceptional rate payment based on the needs of the child.

For purposes of this policy, the terms "foster child," "foster home," "foster parent," and "foster care" relate to family foster homes, treatment foster homes and family-operated group homes.

I. DEFINITIONS

The four components of the Uniform Foster Care Rate are defined as follows:

- **Basic Maintenance Rate** A fixed monthly payment for the usual and customary costs incurred in caring for a foster child (including food, clothing, shelter, personal care, transportation, recreation) as determined solely by the age of the child. This rate is established biennially by the Wisconsin Legislature.
- **Initial Clothing Allowance** An allowance for the actual cost of clothing needed by a child upon initial entry into foster care. The allowance may not exceed the maximum amount specified for the child's age. The placement of a child in foster care 120 days or more after the child has been removed from out-of-home care shall be considered to be an initial placement. These maximum rates are established by the Department by this policy.
- **Supplemental Rate** An additional monthly payment intended to cover the costs of caring for a child whose needs exceed normal limits of care and supervision for that child's age. The descriptors (i.e., criteria) are established by the Department by administrative rule. The funding levels associated with those descriptors are established by the Department by this policy.
- **Exceptional Rate** An additional monthly payment for caring for a child whose needs may be so extreme that the basic maintenance and supplemental payments do not provide sufficient funding to ensure the child's care in a foster home and to prevent placement in a more restrictive setting. The criteria are established by the Department by administrative rule. The funding level associated with these criteria are indirectly established by the Department by this policy through the establishment of a maximum monthly foster care payment.

II. ELIGIBILITY

- Uniform foster care rates shall be determined for all foster children whose cost of care is paid directly to foster parents by a County Department of Social or Human Services or the Department of Health and Family Services.

- Uniform foster care rates **do not** govern payments made to a foster parent by a licensed private child placing agency. Only foster home payments made **directly** by the Department or a County Department of Social or Human Services to foster parents licensed by a public or private agency are subject to the provisions of the Uniform Foster Care Rate.
- If the agency providing services to a child placed in foster care is different than the agency having financial responsibility, the providing agency, using the criteria set forth in this policy, shall recommend the rate to be paid by the financially responsible agency. A County Department of Social Services, which is the designated providing agency for the 51.42/51.437 Board, shall determine the payment amount using the Uniform Foster Care Rate criteria.
- All of the components of the Uniform Foster Care Rate are designed to maintain the child in the foster home and **do not** include service payments to foster parents or licensed child placing agencies. Agencies may enter into purchase of service contracts for services or bed holding costs with individual foster care providers. Such expenses shall not be reported as foster care costs.
- Section 48.62(2), Stats., allows relatives to be licensed at their option as foster parents and to receive payments for the child in their care based upon the Uniform Foster Care Rate. If the agency was **not** involved in the placement of the child with the relative, then the agency shall license the relative as a foster parent at their request and if the requirements of Chs. HFS 38 or 56, Adm. Code, are met, but the agency **is not required** to provide a foster care payment.
- Payments made on behalf of children placed in institutions, shelter care facilities or incorporated group homes are **not** covered by the provisions of the Uniform Foster Care Rate Policy.
- Each foster parent shall be provided with current information regarding the Uniform Foster Care Rate Policy at the time of licensure, when a child is placed and when a rate change occurs. A brochure entitled "Understanding the Uniform Foster Care Rate" is available for distribution to foster parents and will meet the requirement under this provision. (The DCFS Central Office contact for ordering the brochure is Publications Manager, DHFS/DCFS, P.O. Box 8916, Madison, WI 53708-8916. Request the brochure by name and number (PCS-142).)

III. BASIC MAINTENANCE RATES

The basic maintenance rate for children is statutorily set by the Legislature. The "Understanding the Uniform Foster Care Rate" brochure provides current basic maintenance rates for children in the following age categories: Birth to 4; 5 to 11; 12 to 14; and 15 and older.

When a child in foster care attains the age of 5, 12 and 15, the agency shall authorize the next higher basic maintenance rate effective on the date on which the birthday occurs. This procedure is reflected in WiSACWIS and that system will prorate the payment to the foster parent.

IV. INITIAL CLOTHING ALLOWANCE

An initial clothing allowance, in the amount of the actual cost but not exceeding established maximums, may be paid for children initially entering foster care without sufficient clothing. The placement of a child in foster care 120 or more days after a previous out-of-home care placement has terminated shall be considered an initial placement.

The current maximum rates are:

<u>Age Group</u>	<u>Clothing Allowance</u>
0 – 4	Up to \$150
5 – 11	Up to \$175
12 – 14	Up to \$200
15 – 18	Up to \$200

V. SUPPLEMENTAL AND EXCEPTIONAL RATE

A **supplemental rate** payment for a foster child is determined using the criteria established at s. HFS 56.11, Adm. Code. An **exceptional rate** payment may be provided on behalf of a foster child only if at least one of the following three situations exists:

- The payment will enable the child to be placed in a foster home or treatment foster home rather than in a more restrictive setting.
- The payment will enable a child placed in a more restrictive setting to be moved into a foster home or treatment foster home.
- The payment will allow for the replacement of a child's basic wardrobe which has been lost or destroyed through other than normal wear and tear or which has been rendered inappropriate due to a sudden growth spurt.

An as-needed exceptional rate payment for wardrobe replacement is appropriate for reasons such as sudden growth spurts. Any ongoing special circumstances (such as unusual wear of clothing caused by a prosthesis) would be more appropriately funded under the supplemental rate.

While it would be somewhat unusual, there is nothing to prohibit a child from receiving an exceptional payment without also receiving a supplemental payment.

A. Initial Determination and Redeterminations The caseworker for a child placed in foster care and the foster parent shall discuss the needs of the child and recommend whether or not a foster child qualifies for a supplemental or exceptional rate payment and the amount of that payment. This recommendation shall be made within 30 days after the child's placement in the foster home and no less frequently than every 6 months thereafter. A foster parent may request a redetermination at any time. A description of the child's condition, justification for any supplemental or exceptional rate payment recommendation and the recommended rate must be submitted to the designated agency rate setter for approval. This information shall also be placed in the child's case record.

Supplemental and exceptional rate payment must be based on the child's current situation. As such, it is always possible that the rates could increase or decrease as the result of a determination.

If approved, the supplemental or exceptional rate payment shall be made from the agency's foster care account. All supplemental or exceptional rate payments shall be made to the foster parent for the care of the child.

B. Agency Rate Setter Responsibilities Each agency shall designate a person to determine supplemental and exceptional rates for foster children. The rate setting function shall be performed by an administrator, supervisor or advanced social work practitioner. The designated rate setter shall not have an active foster care caseload.

The rate setter, after reviewing the recommendation and documentation submitted by the child's caseworker, shall utilize the following procedures in approving supplemental or exceptional rate payments:

- Supplemental Rate
 - Based upon the criteria established at s. HFS 56.11, Adm. Code, determine if the child exhibits characteristics described in **one or more** of the following three categories: emotional; behavioral; physical and personal care.
 - Determine the appropriate level within each applicable category. The four levels are: not applicable; minimal; moderate; and intensive. **The characteristics exhibited must be inappropriate for the child's age group in order to be considered for a difficulty of care level greater than "not applicable."**
 - Based only on the existing levels as provided in the Point Distribution Table below, assign points to each level of care. **Points may be provided in only one level of care in each category (e.g., points cannot be given at both the "moderate" and "intensive" level in any one category).**

Point Distribution Table

	<u>Not Applicable</u>	<u>Minimal</u>	<u>Moderate</u>	<u>Intensive</u>
Emotional	0	4	8	12
Behavioral	0	4	8	12
Physical/ Personal	0	4	8	12

- Total all of the points assigned to each level within each category
- Determine the monthly supplemental rate payment by selecting the payment amount associated with the total number of points assigned on the Payment Schedule below (the number of points times \$9 per point):

Payment Schedule

Number of Points	0	4	8	12	16	20	24	28	32	36
Dollar Amount	0	36	72	108	144	180	216	252	288	324

- Exceptional Rate
 - Based upon the three situations described above, determine whether the child is eligible for an exceptional rate payment. The amount of the payment is determined by assessing the placement and determining the needs of the foster child relative to the cost of maintaining the child in the placement.
 - The total foster care payment (including the basic maintenance, supplemental and exceptional rates) shall not exceed \$2,000 per month per child.

Example:

A child is 15 years old and has characteristics that merit a minimal level of emotional issues, a moderate level of behavioral issues, and an intensive level of physical issues. In addition, it is determined that the foster parent should receive an exceptional rate payment.

Basic Rate (based on age 15)	<u>*391</u>
Supplemental (subtotal)	<u>216</u>
Emotional (minimal – 4 points x \$9)	36
Behavioral (moderate – 8 points x \$9)	72
Physical (intensive – 12 points x \$9)	108
Exceptional	<u>500</u>
Total	<u><u>1,107</u></u>

* Rate in effect in CY 2003

VI. FAIR HEARING

The foster parent has the right to request a fair hearing if he or she disagrees with the result of a determination or redetermination. The procedures for requesting a fair hearing are described at s. HFS 38.13 and s. HFS 56.10, Adm. Code.

VII. PAYMENT SOURCES FOR OTHER SERVICES

The Department and County Departments of Social and Human Services may not make any payments for maintenance items in addition to the basic maintenance, supplemental and exceptional rate payments and the initial clothing allowance. For example, periodic clothing allowances, other than those described in this policy, are not allowable using foster care funds. An amount for clothing is included in the initial clothing allowance, the basic maintenance rate and, possibly, the supplemental or exceptional rate. Any additional payment for clothing would be considered a duplicate payment and subject to financial disallowance. Occasional needs of a foster child, such as bicycles, class rings, and snowmobile suits, cannot be met through additional payments from the foster care allocation.

County Departments of Social and Human Services are not precluded from purchasing other services (e.g., day care, counseling) as long as the service is not claimed as a foster care payment.